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CLERK OF DISTRICT COURT  
COUNTY OF IDAHO  
JAN 23 2002  
CLERK OF DISTRICT COURT  
COUNTY OF IDAHO

Attorneys for Trustee, Bernie R. Rakozy

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF IDAHO**

**In Re:**

ASA WILLET "BILL" ROARK,  
  
Debtor.

Case No. 01-02073

**EX PARTE MOTION TO  
AMEND ORDER APPROVING  
SALE**

Pursuant to Rule 60(a) the Trustee requests the court without further hearing to enter the attached Amended Order Approving Sale of Real Property which, in addition to previous terms in the Order, provides for the payment of a judgment lien to Sears in the amount of approximately \$5,745. The failure to include the Sear's judgment lien payoff in the original order was the result of the clerical error of trustee's counsel. In support of this motion the Trustee asserts:

1. The Trustee filed a Motion for Approval of Sale of Real Property on December 19, 2001 which was heard by this court on January 22, 2002. The sale was properly noticed pursuant to Bankruptcy Rule 2002.

2. The Motion recited that the property was subject to liens including the judgment lien of Sears which was intended to be paid. (Trustee's Motion for Approval of Sale of Real Property, paragraph 4.)

3. However, through the oversight of Trustee's counsel, the initial proposed Order Approving Sale of Real Property filed March 21, 2002 did not provide language for payment of the judgment lien to Sears as requested in the motion.

4. The Trustee requests the court to enter the attached Amended Order Approving Sale of Real Property which now provides for the payment of Sears' judgment lien. The other judgment lien holder, St. Lukes Regional Medical Center, has agreed to release its Judgment lien for a partial payment because the remainder of its Judgment lien will be paid from the sale of real property of the Debtor in Valley County.

5. No hearing is requested or required because of the previous hearing which handled the matter upon proper notices.

Dated this 14 day of May, 2002.

EVANS, KEANE LLP

By Jed W. Manwaring  
Jed W. Manwaring, Of the Firm  
Attorneys for Trustee

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 14 day of May, 2002, a true and correct copy of the foregoing document was served by first-class mail, postage prepaid, and addressed to; by fax transmission to; by overnight delivery to; or by personally delivering to or leaving with a person in charge of the office as indicated below:

Asa Willet "Bill" Roark  
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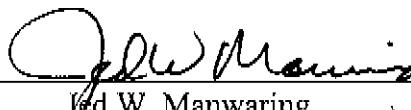
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Theresa Gates  
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